

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

v.

YARITZA FRANCESCHI-MALAVE

Defendant

CIVIL 05-383CCC

ORDER

This action is before us for payment of attorney fees under the Criminal Justice Reform Act for attorney Juan J. Hernandez-Lopez de Victoria's representation of defendant Yaritza Franceschi-Malave.

The Court contemplates making the following reductions: minor reductions from the amounts claimed on the time sheet for entries claiming excessive amounts for minor tasks, e.g. 10/06/2006 – .30 claimed for "Receipt and review court notifications Re: trial postponed. Reductions on items for insufficient information regarding the tasks, e.g. 11/23/2005 – 2 hours claimed for "preparation of extrajudicial discovery request."

Five hours are claimed for 3/28/2006 for "[c]ontinued preparation for trial, including witness interviews, voir dire questions and instructions." However, plea negotiations had been ongoing for two months and no jury instructions or voir dire were ever filed. Five of eight hours are claimed from March 17 through 23, 2006 for legal research. No reference to motion(s) filed or need to research on the listed subject were identified; that is, there are no references to motions filed or reason to conduct this research for benefit of the client.

Accordingly, counsel for defendant Yaritza Franceschi-Malave shall state by May 1, 2007, the reasons why these reductions should not be made.

SO ORDERED

At San Juan, Puerto Rico on April 19, 2007.

S/CARMEN CONSUELO CEREZO
United States District Judge